

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GEORGE GATLIN,)	
)	
Plaintiff,)	No. 07 C 7212
)	
v.)	Judge Lefkow
)	
P.O. A. CRISCIONE, Star #16195,)	Magistrate Judge Cole
P.O. S. MULKERRIN, Star #17071,)	
ANTHONY CAPUTO, individually, and THE)	
CITY OF CHICAGO, ILLINOIS SOLUTION)	
GROUP, and BILL KAY CHRYSLER)	
)	
Defendants.)	JURY DEMANDED

**PLAINTIFF'S MOTION FOR ENTRY OF JUDGMENT BY DEFAULT
AGAINST DEFENDANT ILLINOIS SOLUTION GROUP**

NOW COME the Plaintiff, George Gatlin, by and through their attorneys of record, Ed Fox & Associates, and respectfully move this Court to enter a judgment by default against Defendant Illinois Solution Group. In support of this motion, Plaintiffs state as follows:

1. This is a Section 1983 case with two state supplemental claims alleged against Defendant Illinois Solutions Group: Count V for False Arrest and Count VII for Malicious Prosecution. Illinois Solutions Group is alleged to be liable for the acts of Defendant Caputo pursuant to the doctrine of *respondeat superior*.
2. Plaintiff filed his First Amended Complaint adding Illinois Solution Group as a defendant on April 29, 2008.
3. Plaintiffs mailed Defendant Illinois Solution Group a request for waiver of service of summons on April 30, 2008. Defendant did not claim the waiver, which was sent via certified mail.

4. Plaintiff then proceeded with service under Rule 4 and served Defendant Illinois Solution Group with Summons on May 30, 2008, which is attached hereto as Exhibit A. Plaintiff moved for default judgment after defendant failed to answer, however, the Court did not consider the person served to be the proper agent to effectuate service on the Defendant.

5. Plaintiff served Defendant Illinois Solution Group with Summons again on August 6, 2008, which is attached hereto as Exhibit B. The person served is Charles Dobra, Registered Agent.

7. Defendant Illinois Solution Group has not answered the Complaint and/or otherwise pled. It has been over 20 days since Defendant Illinois Solution Group was served with summons.

8. Therefore, pursuant to Federal Rule of Civil Procedure 55, Plaintiffs move this Court to enter a judgment by default against Defendant Illinois Solution Group.

WHEREFORE, the Plaintiff, GEORGE GATLIN, by and through his attorneys of record, Ed Fox & Associates, respectfully move this Court to enter a judgment by default against Defendant Illinois Solution Group.

Respectfully submitted,

/s/ Leslie C. McCoy
Leslie C. McCoy
ED FOX & ASSOCIATES
Attorneys for Plaintiff
300 W. Adams Street
Suite 330
Chicago, Illinois 60606
(312) 345-8877

EXHIBIT A

RECEIVED JUN 09 2008

ClientCaseID:

Law Firm ID: FOXED



CaseReturnDate: 6/29/08

Affidavit of Special Process Server

UNITED STATES DISTRICT COURTCase Number **07C7212****I, CRAIG PALMER**

FIRST DULY SWORN ON OATH STATES THAT I AM OVER 18 YEARS OF AGE AND NOT A PARTY TO THIS SUIT AND IS A REGISTERED EMPLOYEE OF ILLINOIS DEPARTMENT OF PROFESSIONAL REGULATION PRIVATE DETECTIVE AGENCY #117-001292 STERN PROCESS & INVESTIGATION LLC 205 W. RANDOLPH ST. #1210 CHICAGO IL 60606

CORPORATE SERVICE

THAT I SERVED THE WITHIN **SUMMONS AND COMPLAINT**
ON THE WITHIN NAMED DEFENDANT **ILLINOIS SOLUTION GROUP**
PERSON SERVED **EILEEN POWERS, LEGAL ASSISTANT**
BY LEAVING A COPY OF EACH WITH THE SAID DEFENDANT ON **6/5/08**

That the sex, race and approximate age of the person whom I left the **SUMMONS AND COMPLAINT**
are as follow:

Sex FEMALE **Race** WHITE **Age** 50
Height 5'7" **Build** MEDIUM **Hair** BROWN

LOCATION OF SERVICE **675 E IRVING PARK RD 100**
ROSELLE, IL, 60172

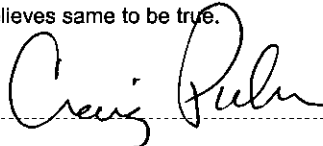
Date Of Service **6/5/08**Time of Service **9:20 AM**
CRAIG PALMER

6/5/2008

Special Process Server

P.E.R.C# 129-303833

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statement are true and correct, except as to matters therein stated to be on information and belief and such matters the undersigned certifies as aforesaid that he/she verily believes same to be true.



8/29

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

GEORGE GATLIN

CASE NUMBER: 07 C 7212

V.

ASSIGNED JUDGE: Lefkow

P.O. Officer Criscione, Star No. 16195, et al.

DESIGNATED
MAGISTRATE JUDGE: Cole

TO: (Name and address of Defendant)
~~Illinois Solution Group r/A: Charles WM Dobra registered agent~~
~~Charles WM Dobra, registered agent of Illinois Solution Group~~
675 E. Irving Park Rd, Suite 100
Roselle, IL 60172

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Leslie C. McCoy
Ed Fox & Associates
300 W. Adams, Suite 330
Chicago, IL 60606

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

NOTE: When the print dialogue box appears, be sure to uncheck the Annotations option.

MICHAEL W. DOBBINS, CLERK

Esperanza Arnold
(By) DEPUTY CLERK

MAY 30 2008
DATE

EXHIBIT B

ClientCaseID: LESLIE C MCCOY
 Law Firm ID: FOXED



CaseReturnDate: 9/3/08

Affidavit of Special Process Server

UNITED STATES DISTRICT COURT

Case Number

I, CRAIG PALMER

FIRST DULY SWORN ON OATH STATES THAT I AM OVER 18 YEARS OF AGE AND NOT A PARTY TO THIS SUIT AND IS A REGISTERED EMPLOYEE OF ILLINOIS DEPARTMENT OF PROFESSIONAL REGULATION PRIVATE DETECTIVE AGENCY #117-001292 STERN PROCESS & INVESTIGATION LLC 205 W. RANDOLPH ST. CHICAGO IL 60606

CORPORATE SERVICE

THAT I SERVED THE WITHIN SUMMONS AND COMPLAINT
 ON THE WITHIN NAMED DEFENDANT ILLINOIS SOLUTION GROUP
 PERSON SERVED CHARLES DOBRA, REGISTERED AGENT
 BY LEAVING A COPY OF EACH WITH THE SAID DEFENDANT ON 8/6/08

That the sex, race and approximate age of the person whom I left the SUMMONS AND COMPLAINT
 are as follow:

Sex MALE Race WHITE Age 60
 Height 6'0" Build AVERAGE Hair SALT & PEPPER

LOCATION OF SERVICE **675 E IRVING PARK RD. SUITE 100
 ROSELLE, IL, 60172**

Date Of Service 8/6/08

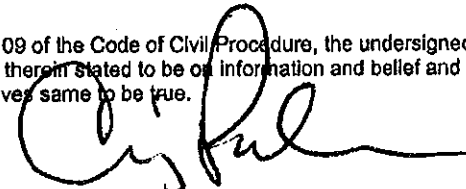
Time of Service 2:05 PM


 CRAIG PALMER

8/7/2008

Special Process Server
 P.E.R.C# 129-303833

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statement are true and correct, except as to matters therein stated to be on information and belief and such matters the undersigned certifies as aforesaid that he/she verily believes same to be true.



Total: \$55.00

